



**THE ATTORNEY GENERAL
OF TEXAS**

**JIM MATTOX
ATTORNEY GENERAL**

May 11, 1990

Honorable Clayton L. Hall
County Attorney
Red River County Courthouse
Clarksville, Texas 75426

LO-90-23

Dear Mr. Hall:

You refer to Attorney General Letter Opinion LO-90-18, in which this office concluded that an individual could not serve both as a member of the Clarksville City Council and as a member of the board of the Red River County Water District, and you ask about the effect of an officeholder's assuming a second office that is incompatible with the first. A person who accepts and qualifies for an office that is incompatible with an office the person already holds ipso facto relinquishes the first office. Attorney General Opinion JM-133 (1984). The same rule is applicable under the constitutional doctrine of dual office holding. Centeno v. Inselmann, 519 S.W.2d 889 (Tex. Civ. App. - San Antonio 1975, no writ); Attorney General Opinion M-586 (1970).

Very truly yours,

A handwritten signature in cursive script that reads "Sarah Woelk".

Sarah Woelk, Chief
Letter Opinion Section

SW/lcd

Ref.: ID# 9589